

CITY OF MEMPHIS, SHELBY COUNTY, TENNESSEE
MEMPHIS CHARTER COMMISSION MEETING
August 14, 2008

CALL TO ORDER: Chairman Lowery called the meeting to order at 3:05 p.m. The following members of the Board, constituting a quorum, were present: Willie Brooks, George Brown Jr., Marsha Campbell, Sylvia Cox, Janice Fullilove, Sharon Webb and Myron Lowery.

Others in attendance: Ricky E. Wilkins, Law Offices of Ricky E. Wilkins; Professor Stephen H. Wirls, Rhodes College, among others.

MINUTES: Chairman Lowery noted that copies of the minutes from the Board's meeting of July 30, 2008 had been circulated prior to the meeting and asked if there were any changes or corrections. With no changes to the minutes, they were approved as presented.

DISCUSSION ON GUARANTEE OF CITY FUNDING FOR MEMPHIS CITY SCHOOLS:

Commissioner Webb distributed her proposed language for citizens of Memphis to vote on guarantee of city funding for Memphis City Schools. Commissioner Webb decided to vote on the matter at the next meeting. After much discussion, Webb withdrew her proposal in order to let the court case be resolved.

DISCUSSION ON PARTTIME JUDGES

Commissioner Campbell made a motion to reconsider their previous vote not to add 2 part-time judges to the City's Charter. A discussion followed.

The Chairman called for the vote and the voting was as follows:

Myron Lowery	Nay
Willie Brooks	Nay
George Brown	Nay
Marsha Campbell	Aye
Sylvia Cox	Aye
Janis Fullilove	Aye
Sharon Webb	Aye

With (4) Ayes and (3) Nay the motion passed. The Commissioners will vote on a Referendum at their next meeting. In closing, Chairman Lowery asked that the referendums be distributed to the Commissioners prior to the next meeting.

DISCUSSION ON POSSIBLE CHALLENGE OF CHARTER COMMISSION WORK

Chairman Lowery noted City Council had been advised the Charter Commission's work will not be submitted to City Council for 3 readings. He noted that he is of the opinion that their work would not be challenged by Council.

DISCUSSION ON COMPENSATION FOR FUTURE CHARTER COMMISSIONERS

Professor Wirls explained that a Charter Commission formed by citizen petition is recognized as a state body. Work of a Charter Commission formed pursuant to a city or county charter would have to be submitted to the legislative body for approval. Matter tabled.

DISCUSSION ON CHARTER PROVISION TO PREVENT CITY COUNCIL BY ORDINANCE TO ALTER THE POWER OF THE MAYOR

Commissioner Brown withdrew his proposal for a referendum that prohibits City Council from altering the powers of the mayor by means of referendums.

DISCUSSION ON CAMPAIGN FUNDRAISING AND LANGUAGE IN THE CHARTER AS IT RELATES TO THE MAYOR

Commissioner Cox proposed that specific time period be established for elected officials to receive campaign contributions. After an explanation on the matter from Professor Wirls regarding such a provision favoring incumbents, Commissioner Cox withdrew her proposal. In addition to Commissioner Cox's comments, she suggested that the City's Charter correspond to state law as it related to the recall of the mayor and asked that they discuss the matter at the next meeting.

DISCUSSION OF REFERENDUM ITEMS FOR NOVEMBER BALLOT

Attorney Wilkins noted that he submitted proposed charter referendums to election commission attorney Monice Tate and stated that he expects to have approval by the next meeting.

NEW BUSINESS

A discussion follows concerning Municipal elections. Commissioner Brown made a motion that Municipal elections coincide with the School Board election in November, District members of the Memphis City Council run for initial 2 year term in 2011 (not

counting against their term limit) and a 4 year term in 2013. The vote was second by Commissioner Brooks.

The Chairman called for the vote and the voting was as follows:

Myron Lowery	Aye
Willie Brooks	Aye
George Brown	Aye
Marsha Campbell	Aye
Sylvia Cox	Aye
Janis Fullilove	Aye
Sharon Webb	Aye

The motion passed unanimously.

Next, Commissioner Cox made a motion to vote on allowing a citizen petition for a charter amendment (similar to county charter provision) at the next meeting. The vote was seconded by Myron Lowery. A discussion followed.

The Chairman called for the vote and the voting was as follows:

Myron Lowery	Aye
Willie Brooks	Aye
George Brown	Nay
Marsha Campbell	Abstain
Sylvia Cox	Aye
Janis Fullilove	Nay
Sharon Webb	Aye

With (4) Ayes and (2) Nay and (1) abstain the motion passed.

ADJOURNMENT: There being no further business, Chairman Lowery thanked everyone for attending and stated that the next meeting dates are August 21 at 3:00 p.m. The meeting was adjourned at 4:30 p.m.

Respectfully Submitted

Bridgett Handy-Clay